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State of Minnesota

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HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH
SESSION

HOUSE FILE No. **545**

February 5, 2009

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The bill was read for the first time and referred to the Committee on State and Local Government Operations Reform,
Technology and Elections

March 30, 2009

Committee Recommendation and Adoption of Report:

To Pass as Amended and re-referred to the Committee on Public Safety Policy and Oversight

April 7, 2009

Committee Recommendation and Adoption of Report:

To Pass as Amended

Read Second Time

1.1 A bill for an act
1.2 relating to elections; requiring certain notices concerning voting rights of
1.3 felons; requiring an informational publication; proposing coding for new law in
1.4 Minnesota Statutes, chapters 201; 243; 630.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. **[201.280] DUTIES OF SECRETARY OF STATE; INFORMATION**
1.7 **ABOUT VOTING RIGHTS.**

1.8 The secretary of state shall develop accurate and complete information in a single
1.9 publication about the voting rights of people who have been charged with or convicted
1.10 of a crime. This publication must be made available electronically to the state court
1.11 administrator for distribution to judges, court personnel, probation officers, and the
1.12 Department of Corrections for distribution to corrections officials, parole officers, and
1.13 the public.

1.14 Sec. 2. **[243.205] NOTICE OF RESTORATION OF RIGHT TO VOTE.**

1.15 Subdivision 1. **Correctional facilities; designation of official.** The chief executive
1.16 officer of each state and local correctional facility shall designate an official within the
1.17 facility to provide the notice required under this section to inmates who have been restored
1.18 to civil rights. The official may also maintain a supply of voter registration applications
1.19 and informational materials to accompany the notice.

1.20 Subd. 2. **Notice requirement.** A notice of restoration of civil rights must be
1.21 provided as follows:

1.22 (1) the chief executive officer of each state and local correctional facility shall
1.23 provide the notice and may provide a voter registration application to an inmate being

released from the facility following incarceration for a felony-level offense if the inmate's sentence is discharged and civil rights restored under section 609.165; and

(2) a probation officer or supervised release agent shall provide the notice and may provide a voter registration application when an individual under correctional supervision for a felony-level offense is discharged from sentence and the individual's civil rights have been restored under section 609.165.

Subd. 3. **Form of notice.** The notice required by subdivision 2 must appear substantially as follows:

**"NOTICE OF RESTORATION OF CIVIL RIGHTS, INCLUDING
YOUR RIGHT TO VOTE.**

Your final discharge today means that your civil rights have been restored. This includes a restoration of your right to vote in Minnesota. Before you can vote on election day, you still need to register to vote. To register, you can complete a voter registration application and return it to the Office of the Minnesota Secretary of State. You also can register to vote in your polling place on election day. You will not be permitted to cast a ballot until you register to vote. The first time you appear at your polling place to cast a ballot, you may be required to provide proof of your current residence."

Subd. 4. **Failure to provide notice.** A failure to provide proper notice as required by this section does not prevent the restoration of an inmate's civil rights upon discharge.

**Sec. 3. [630.125] DEFENDANT; NOTICE OF LOSS OF CIVIL RIGHTS UPON
CONVICTION.**

For felony-level offenses, at the time of arraignment, prior to the court's acceptance of a plea from the defendant, the court must notify the defendant that a guilty plea or conviction for a felony-level offense will result in a loss of the defendant's civil rights, including the right to vote, until the defendant's sentence has been discharged.